

109TH CONGRESS  
1ST SESSION

# H. R. 599

To provide a source of funds to carry out restoration activities on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. UDALL of Colorado (for himself and Mr. TANCREDI) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To provide a source of funds to carry out restoration activities on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE AND FINDINGS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Federal Lands Restoration, Enhancement, Public Edu-  
6       cation, and Information Resources Act of 2005”.

7       (b) FINDINGS.—Congress finds the following:

1           (1) Violations of laws and regulations applicable  
 2           to the use of Federal lands under the jurisdiction of  
 3           the Secretary of the Interior or the Secretary of Ag-  
 4           riculture often result in damages to those lands that  
 5           require expenditures for restoration activities to  
 6           mitigate the damages.

7           (2) Increased public information and education  
 8           regarding the laws and regulations applicable to the  
 9           use of these Federal lands can help to reduce the  
 10          frequency of unintentional violations.

11          (3) It is appropriate that fines and other mone-  
 12          tary penalties paid as a result of violations of laws  
 13          and regulations applicable to the use of these Fed-  
 14          eral lands be used to defray the costs of such res-  
 15          toration activities and to provide such public infor-  
 16          mation and education.

17 **SEC. 2. USE OF FINES FROM VIOLATIONS OF LAWS AND**  
 18 **REGULATIONS APPLICABLE TO PUBLIC**  
 19 **LANDS FOR RESTORATION AND INFORMA-**  
 20 **TIONAL ACTIVITIES.**

21          (a) LANDS UNDER JURISDICTION OF BUREAU OF  
 22 LAND MANAGEMENT.—Section 305 of the Federal Land  
 23 Policy and Management Act of 1976 (43 U.S.C. 1735),  
 24 is amended by adding at the end the following new sub-  
 25 section:

1 “(d) USE OF COLLECTED FINES.—

2 “(1) AVAILABILITY AND AUTHORIZED USE.—

3 Any moneys received by the United States as a re-  
4 sult of a fine imposed under section 3571 of title 18,  
5 United States Code, for a violation of a regulation  
6 prescribed under section 303(a) shall be available to  
7 the Secretary, without further appropriation and  
8 until expended, for the following purposes:

9 “(A) To cover the cost to the United  
10 States of any improvement, protection, or reha-  
11 bilitation work on the public lands rendered  
12 necessary by the action which led to the fine or  
13 by similar actions.

14 “(B) To increase public awareness of regu-  
15 lations and other requirements regarding the  
16 use of the public lands.

17 “(2) TREATMENT OF EXCESS FUNDS.—Moneys  
18 referred to in paragraph (1) that the Secretary de-  
19 termines are excess to the amounts necessary to  
20 carry out the purposes specified in such paragraph  
21 shall be transferred to the Crime Victims Fund es-  
22 tablished by section 1402 of the Victims of Crime  
23 Act of 1984 (42 U.S.C. 10601).”.

24 (b) NATIONAL PARK SYSTEM LANDS.—Section 3 of  
25 the Act of August 25, 1916 (popularly known as the Na-

1 tional Park Service Organic Act; 16 U.S.C. 3), is amend-  
2 ed—

3 (1) by striking “That the Secretary” the first  
4 place it appears and inserting “(a) REGULATIONS  
5 FOR USE AND MANAGEMENT OF NATIONAL PARK  
6 SYSTEM; ENFORCEMENT.—The Secretary”;

7 (2) by striking “He may also” the first place it  
8 appears and inserting the following:

9 “(b) SPECIAL MANAGEMENT AUTHORITIES.—The  
10 Secretary of the Interior may”;

11 (3) by striking “He may also” the second place  
12 it appears and inserting “The Secretary may”;

13 (4) by striking “No natural,” and inserting the  
14 following:

15 “(c) LEASE AND PERMIT AUTHORITIES.—No nat-  
16 ural”; and

17 (5) by adding at the end the following new sub-  
18 section:

19 “(d) USE OF COLLECTED FINES.—

20 “(1) AVAILABILITY AND AUTHORIZED USE.—

21 Any moneys received by the United States as a re-  
22 sult of a fine imposed under section 3571 of title 18,  
23 United States Code, for a violation of a rule or regu-  
24 lation prescribed under this section shall be available  
25 to the Secretary of the Interior, without further ap-

1       appropriation and until expended, for the following  
2       purposes:

3               “(A) To cover the cost to the United  
4               States of any improvement, protection, or reha-  
5               bilitation work on the National Park System  
6               lands rendered necessary by the action which  
7               led to the fine or by similar actions.

8               “(B) To increase public awareness of rules,  
9               regulations, and other requirements regarding  
10              the use of such lands.

11              “(2) TREATMENT OF EXCESS FUNDS.—Moneys  
12              referred to in paragraph (1) that the Secretary de-  
13              termines are excess to the amounts necessary to  
14              carry out the purposes specified in such paragraph  
15              shall be transferred to the Crime Victims Fund es-  
16              tablished by section 1402 of the Victims of Crime  
17              Act of 1984 (42 U.S.C. 10601).”.

18              (c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—  
19              Subsection (f) of section 4 of the National Wildlife Refuge  
20              System Administration Act of 1966 (16 U.S.C. 668dd) is  
21              amended by adding at the end the following new para-  
22              graphs:

23              “(3) USE OF COLLECTED FINES.—Any moneys  
24              received by the United States as a result of a fine  
25              imposed under section 3571 of title 18, United

1 States Code, for a violation of this Act or a regula-  
2 tion issued thereunder shall be available to the Sec-  
3 retary, without further appropriation and until ex-  
4 pended, for the following purposes:

5 “(A) To cover the cost to the United  
6 States of any improvement, protection, or reha-  
7 bilitation work on the System lands rendered  
8 necessary by the action which led to the fine or  
9 by similar actions.

10 “(B) To increase public awareness of rules,  
11 regulations, and other requirements regarding  
12 the use of System lands.

13 “(4) TREATMENT OF EXCESS FUNDS.—Moneys  
14 referred to in paragraph (3) that the Secretary de-  
15 termines are excess to the amounts necessary to  
16 carry out the purposes specified in such paragraph  
17 shall be transferred to the Crime Victims Fund es-  
18 tablished by section 1402 of the Victims of Crime  
19 Act of 1984 (42 U.S.C. 10601).”.

20 (d) NATIONAL FOREST SYSTEM LANDS.—Section 7  
21 of the Act of June 20, 1958 (16 U.S.C. 579c), is amend-  
22 ed—

23 (1) by inserting “(a) TREATMENT OF CERTAIN  
24 MONEYS RECEIVED ON BEHALF OF FOREST SERV-  
25 ICE.—” before “Any funds”;

1           (2) by striking “contract or (2)” and inserting  
2           “contract, (2)”;

3           (3) by inserting after “improvements,” the fol-  
4           lowing: “or (3) as a result of a fine imposed under  
5           section 3571 of title 18, United States Code, for a  
6           violation of a rule or regulation prescribed by the  
7           Secretary of Agriculture with respect to such  
8           lands,”;

9           (4) by striking “to cover” and all that follows  
10          through the end of the section and inserting the fol-  
11          lowing: “for the purposes specified in subsection  
12          (b).”; and

13          (5) by adding at the end the following new sub-  
14          section:

15          “(b) AUTHORIZED USE.—

16               “(1) IN GENERAL.—The moneys referred to in  
17          subsection (a) shall be available to the Secretary of  
18          Agriculture for the following purposes:

19                       “(A) To cover the cost to the United  
20          States of any improvement, protection, or reha-  
21          bilitation work on National Forest System lands  
22          rendered necessary by the action which led to  
23          the fine, forfeiture, judgment, compromise, or  
24          settlement or by similar actions.

1           “(B) To increase public awareness of rules,  
2           regulations, and other requirements regarding  
3           the use of such lands.

4           “(2) TREATMENT OF EXCESS FUNDS.—Moneys  
5           referred to in subsection (a) that the Secretary de-  
6           termines are excess to the amounts necessary to  
7           carry out the purposes specified in paragraph (1)  
8           shall be transferred to the Crime Victims Fund es-  
9           tablished by section 1402 of the Victims of Crime  
10          Act of 1984 (42 U.S.C. 10601).”.

○